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REMARKS

Claims 9 and 10 are amended to obviate the Office Action's objection. Claims 6 is also amended to overcome the Office Action's rejection under 35 USC § 112. Independent claims 1 and 9 are amended to overcome the Office Action's rejection under 35 USC § 102(b). No new matter is added. Support for amended independent claims 1 and 9 can be found throughout the specification, particularly page 6, second paragraph. Favorable reconsideration and allowance are requested in light of the foregoing amendments and the remarks which follow.

1. Rejection of claims under 35 USC § 102 (e) as being anticipated by Hawley et al. (US 2001/0021950)

The Office Action rejects Claims 1-10 under 35 USC § 102(e) as being anticipated by Hawley et al. This rejection is respectfully traversed.

To support a rejection of claims as anticipated, The Examiner must cite a single prior art reference which identically describes, either expressly or inherently, each and every element of the claim as set forth in the claim (MPEP §2131, citing *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir.1987)). The Examiner has not met this requirement.

Hawley et al. discloses a computer network based on a tangible token such as a small card or disk, a small everyday article, a toy, or a product container. The token comprises a machine-readable indication, or "tag," that identifies the token and which may be wirelessly read by a tag reader. The tag reader communicates the identifier to a computer connected to the network as a node. The computer, in response, implements a network-access criterion based on

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the token (or more specifically, the token's identifier). Conversely, in the present invention, the RFID tag contains a portion of its memory that has an at least 2 updatable (read/write capability) fields for storing historical information. This is referred to as a "From" and a "To" field on Page 6, Paragraph 2, line 14 of the detail description. The user or machine that interrogates the RFID tag with the reader (e.g., handheld terminal, HHT) can verify upon the initial read that it was sent to the user from Location 1 (prior shipper) to Location 2 (current location). This information has been directly written or recorded to the memory of the RFID tag at the previous location (Location 1). This information is also verifiable through access to the database on a LAN or Internet via the reader-computer-servers system.

In addition, as described in Page 7, lines 19- 21 of the present invention, the user or machine can then update the information on the "From" and "To" fields directly on the memory of the RFID tag. The data for this update could be supplied by direct entry into the HHT (Hand Held Terminal), by a wireless or contact means with the RFID tag, or through information transferred from the database on the LAN or Internet. For example, the continuously updated Internet database may have new information that the package should be sent to a new Location 3. The "From" field therefore contains the current location (Location 2) and the newly updated information on its next destination in the supply chain, Location 3. This process could continue throughout the supply chain at new locations 4, 5, 6, ..., N. Therefore, this present invention, as recited in the amended claims 1 and 9, discloses a means for continuously updating both a remote database as well as the local information stored on the RFID tag given its interaction at each point in the supply chain. This provides both a local and a remote storage of data that can be queried using a variety of readers. If the reader system is not connected to a LAN, one can still

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determine the "From" and "To" locations by a direct reading of the data stored in the memory on the RFID tag. This information is primary to the shipment of goods within the supply chain and should be accessible even if there is not a viable connection to the database via a LAN or Internet. However, if the reader-interrogator is a fully connected device via a LAN or Internet, then the data stored on the RFID tag can be verified by comparison with information in the database and be updated through that same source. One of the important aspect of the present invention is that the RFID tag has at least two read/write updatable fields in its memory that contain data that is associated with prior times in which it has been interrogated in its history that are accessible directly by a reading device without need to tie-in to a remote database. There is absolutely no disclosure whatsoever that the RFID tag in the Hawley et al. 's system contain at least two read/write updatable fields in its memory. Thus, Hawley et al. does not identically describe the invention of the rejected claims as is required for anticipation. Therefore is rejection is inappropriate and should be withdrawn.

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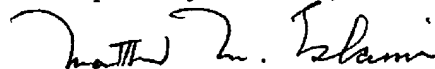
CONCLUSION

In view of the foregoing amendments and the above remarks, the application is believed to be in condition for allowance, and such action is respectfully requested. Should the Examiner have any remaining questions and the attending to of which would expedite such action, the Examiner is invited to contact the undersigned at the telephone number listed below.

A one month extension of time is believed to be required. The Commissioner is authorized to charge any fees associated with this or any other communication, or credit any over payment, to Deposit Account No. 09-0525.

Date: November 18, 2005

Respectfully submitted,



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